

(b) NOTICE OF PROCEEDING.—Section 438(b) of such Act (42 U.S.C. 638(b)) is amended by inserting “shall have in effect a rule requiring State courts to notify foster parents, pre-adoptive parents, and relative caregivers of a child in foster care under the responsibility of the State of any proceeding to be held with respect to the child, and” after “highest State court”.

SEC. 10. REASONABLE EFFORTS.

(a) IN GENERAL.—Section 471(a)(15)(C) of the Social Security Act (42 U.S.C. 671(a)(15)(C)) is amended by inserting “(including, if appropriate, through an interstate placement)” after “accordance with the permanency plan”.

(b) PERMANENCY HEARING.—Section 471(a)(15)(E)(i) of such Act (42 U.S.C. 671(a)(15)(E)(i)) is amended by inserting “, which considers in-State and out-of-State permanent placement options for the child,” before “shall”.

(c) CONCURRENT PLANNING.—Section 471(a)(15)(F) of such Act (42 U.S.C. 671(a)(15)(F)) is amended by inserting “, including identifying appropriate out-of-State relatives and placements” before “may”.

SEC. 11. CASE PLANS.

Section 475(1)(E) of the Social Security Act (42 U.S.C. 675(1)(E)) is amended by inserting “to facilitate orderly and timely interstate placements” before the period.

SEC. 12. CASE REVIEW SYSTEM.

Section 475(5)(C) of the Social Security Act (42 U.S.C. 675(5)(C)) is amended—

(1) by inserting “, in the case of a child who will not be returned to the parent, the hearing shall consider in-State and out-of-State placement options,” after “living arrangement”; and

(2) by inserting “the hearing shall determine” before “whether the”.

SEC. 13. USE OF INTERJURISDICTIONAL RESOURCES.

Section 422(b)(12) of the Social Security Act (42 U.S.C. 622(b)(12)) is amended—

(1) by striking “develop plans for the” and inserting “make”; and

(2) by inserting “(including through contracts for the purchase of services)” after “resources”; and

(3) by inserting “, and shall eliminate legal barriers,” before “to facilitate”.

SEC. 14. GAO STUDY ON CHILD WELFARE BACKGROUND CHECKS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of background checks that are performed for the purpose of determining the appropriateness of placing in a foster or adoptive home a child who is under the custody of a State. The study shall review the policies and practices of States in order to—

(1) identify the most common delays in the background clearance process and where in the process the delays occur;

(2) describe when background checks are initiated;

(3) determine which of local, State, or Federal (such as FBI) background checks are used, how long it takes, on average, for each kind of check to be processed, which crimes or other events are included in each kind of check, how the States differ in classifying the crimes and other events checked, and how the information revealed by the checks is used in determining eligibility to act as a foster or adoptive parent;

(4) examine the barriers child welfare agencies face in accessing criminal background check information;

(5) examine the use of the latest information-sharing technology, including electronic fingerprinting and participation in the Integrated Automated Fingerprinting Information System;

(6) identify the varied uses of such technology for child welfare purposes as opposed to criminal justice purposes; and

(7) recommend best practices that can increase the speed, efficiency, and accuracy of child welfare background checks at all levels of government.

(b) REPORT TO THE CONGRESS.—Within 12 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Ways and Means and on Education and the Workforce of the House of Representatives and the Committees on Finance and on Health, Education, Labor, and Pensions of the Senate a report which contains the results of the study required by subsection (a).

SEC. 15. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act shall take effect on October 1, 2004, and shall apply to payments under parts B and E of title IV of the Social Security Act for calendar quarters beginning on or after such date, without regard to whether regulations to implement the amendments are promulgated by such date.

(b) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan under part B or E of title IV of the Social Security Act to meet the additional requirements imposed by the amendments made by this Act, the plan shall not be regarded as failing to meet any of the additional requirements before the 1st day of the 1st calendar quarter beginning after the first regular session of the State legislature that begins after the date of the enactment of this Act. If the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3577. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; which was ordered to lie on the table.

SA 3578. Mr. BAUCUS (for himself, Mr. LEVIN, Ms. STABENOW, Mrs. MURRAY, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3579. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3580. Mr. SCHUMER (for himself and Mr. CORZINE) proposed an amendment to the bill H.R. 4567, supra.

SA 3581. Mr. LEAHY (for himself, Mr. NELSON, of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, Mrs. FEINSTEIN, Mr. REID, and Mr. FEINGOLD) proposed an amendment to the bill H.R. 4567, supra.

SA 3582. Mr. THOMAS proposed an amendment to amendment SA 3581 proposed by Mr. LEAHY (for himself, Mr. NELSON of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, Mrs. FEINSTEIN, Mr. REID, and Mr. FEINGOLD) to the bill H.R. 4567, supra.

SA 3583. Mr. SPECTER (for himself, Ms. MIKULSKI, Mr. SANTORUM, Mrs. MURRAY, Mr. LUGAR, Mr. KENNEDY, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3584. Mr. LEAHY (for himself, Mr. NELSON, of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, and Mrs. FEINSTEIN) proposed an amendment to amendment SA 3581 proposed by Mr. LEAHY (for himself, Mr. NELSON of Nebraska, Mr. LIEBERMAN, Mr. JEFFORDS, Mrs. FEINSTEIN, Mr. REID, and Mr. FEINGOLD) to the bill H.R. 4567, supra.

SA 3585. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3586. Mr. COCHRAN (for himself and Mr. BYRD) proposed an amendment to the bill H.R. 4567, supra.

SA 3587. Mr. COCHRAN proposed an amendment to the bill H.R. 4567, supra.

SA 3588. Mr. COCHRAN (for himself, Mr. BYRD, and Mr. STEVENS) proposed an amendment to the bill H.R. 4567, supra.

SA 3589. Mr. ALLARD (for himself and Mr. AKAKA) submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3590. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3591. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3592. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

SA 3593. Mr. FITZGERALD submitted an amendment intended to be proposed by him to the bill H.R. 4567, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3577. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Amounts appropriated under this Act for expenses related to the protection of federally owned and leased buildings and for the operations of the Federal Protective Service shall not be made available unless the Service implements procedures to ensure that, with respect to contracts (including subcontracts) entered into on or after October 1, 2003 with private security firms to provide protective services for federally owned or leased buildings, the terms of such contracts are not modified in a manner that results in a change in benefits for the employees involved unless the employees involved consent to such changes.

SA 3578. Mr. BAUCUS (for himself, Mr. LEVIN, Ms. STABENOW, Mrs. MURRAY, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill H.R. 4567, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, between lines 5 and 6, insert the following new section:

SEC. 515. (a) The total amount appropriated by title II for the Office of the Under Secretary for Border and Transportation Security under the heading “AIR AND MARINE